THE HON'BLE SRI JUSTICE BILAL NAZKI

AND

THE HON'BLE SRI JUSTICE G.CHANDRAIAH

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WRIT PETITION NO.4883 OF 2006

Date: 14-03-2006

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Between:

M/s Bharti Cellular Limited …. Petitioner

And

Assistant Commercial Tax Officer

And others … Respondents

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THE HON'BLE SRI JUSTICE BILAL NAZKI

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THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION NO.4883 OF 2006

O R D E R (Per the Hon'ble Sri Bilal Nazki, J):

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Heard learned counsel for the parties.

The petitioner's appeal before the Sales Tax Appellate Tribunal is pending. Against the order of imposing penalty, the petitioner filed first appeal along with a stay application and when the stay application was rejected, he approached this Court by way of a writ petition being W.P.No.1566 of 2005. This Court by order dated 03-02-2005, while disposing of the writ petition, directed that no steps should be taken against the petitioner pursuant to the demand notice before the disposal of the appeal. Since the petitioner had stay when the first appeal was pending, therefore, it would be in the interest of justice that the stay continues till the second appeal is decided by the Tribunal as the petitioner has lost the first appeal. The garnishee notice is set aside.

The writ petition is accordingly disposed of. No order as to costs.

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(Bilal Nazki, J)

14th March, 2006

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(G.Chandraiah, J)

Note: Issue wire at party's cost

(b/o) vrn